

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**MEGAN KELLEY,**

**Plaintiff,**

**v.**

**ATRIUM HOSPITALITY LP,**

**Defendant.**

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**Civil Action No. 4:21-cv-818-SDJ**

**JURY TRIAL DEMANDED**

**AGREED MOTION TO DISMISS WITH PREJUDICE**

By mutual agreement of the Parties in this case, Plaintiff Megan Kelley (“Plaintiff”) and Defendant Atrium Hospitality LP (“Defendant”) (collectively, (the “Parties”)), hereby move this Court to dismiss all claims brought against Defendant *with prejudice*. The Parties further request that this Court order dismissal with each party bearing her/its own expenses and costs of court, including attorneys’ fees, and request that the Court enter the attached proposed form of Agreed Order of Dismissal With Prejudice.

Respectfully submitted,

/s/ Daryl J. Sinkule

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**ATTORNEYS FOR PLAINTIFF  
MEGAN KELLEY**

–AND–

/s/ Buena Vista Lyons

Buena Vista Lyons

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**ATTORNEYS FOR DEFENDANT  
ATRIUM, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of February 2022, a true and accurate copy of the foregoing *Agreed Motion to Dismiss with Prejudice* was filed with the Clerk of Court using the CM/ECF system that will send notification of such filing to all counsel of record.

/s/ Daryl J. Sinkule

Daryl J. Sinkule

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**Civil Action No. 4:21-cv-818-SDJ**

**JURY TRIAL DEMANDED**

**AGREED ORDER OF DISMISSAL WITH PREJUDICE**

For the reasons set forth in the Parties' Agreed Motion to Dismiss With Prejudice, it is ORDERED, ADJUDGED, AND DECREED that the above-captioned action and all claims brought by Plaintiff therein against Defendant are dismissed with prejudice.

It is further ORDERED, ADJUDGED, AND DECREED that each party shall bear her/its own expenses and costs of court, including attorneys' fees.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all relief which was sought or which could have been sought herein, not expressly granted herein is denied.

This Order constitutes a final judgment and disposes of all parties and all claims. SO ORDERED this \_\_\_\_ day of February, 2022.

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SEAN D. JORDAN  
UNITED STATES DISTRICT JUDGE

AGREED AS TO FORM AND CONTENT:

By: /s/ Daryl J. Sinkule

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